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## NOTICE OF ALLOWANCE AND FEE(S) DUE

20808 7590 04/03/2009

BROWN & MICHAELS, PC  
400 M & T BANK BUILDING  
118 NORTH TIOGA ST  
ITHACA, NY 14850

EXAMINER

STERRETT, JONATHAN G

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 04/03/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/021,375

10/30/2001

Benjamin Richards

ONW-1

2529

TITLE OF INVENTION: METHOD FOR RETRIEVING SHIPPING PLATFORMS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	07/06/2009

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

20808 7590 04/03/2009

**BROWN & MICHAELS, PC**  
400 M & T BANK BUILDING  
118 NORTH TIOGA ST  
ITHACA, NY 14850

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/021,375 10/30/2001 Benjamin Richards ONW-1 2529

TITLE OF INVENTION: METHOD FOR RETRIEVING SHIPPING PLATFORMS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional YES \$755 \$300 \$0 \$1055 07/06/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
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STERRETT, JONATHAN G 3623 705-008000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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10/021,375	10/30/2001	Benjamin Richards	ONW-1	2529
20808	7590	04/03/2009	EXAMINER	
BROWN & MICHAELS, PC 400 M & T BANK BUILDING 118 NORTH TIOGA ST ITHACA, NY 14850			STERRETT, JONATHAN G	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 04/03/2009

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 987 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 987 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/021,375	RICHARDS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Beth V. Boswell	3623	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications received 02/12/2009.
2. ☒ The allowed claim(s) is/are 1, 7-9, and 11.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date ____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date ____.</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other ____.</li> </ol> |
|---|---|

/Beth V. Boswell/  
Supervisory Patent Examiner, Art Unit 3623

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### **DETAILED ACTION**

1 The following is a response to the communications received 02/12/2009. Claims 1 and 12 were amended in the communications received. Claims 1 and 11 have been amended and claims 10 and 12-18 have been canceled by examiner's amendment. Claims 1, 7-9, and 11 are now pending in this application and are allowed. This action includes an examiner's amendment and reasons for allowance.

#### ***Claim Rejections - 35 USC § 101***

2. In order to perform the steps of claim 1, where a computer website is used to coordinate the repurchase of shipping platforms through at least creating a remotely accessible file on the website, accepting a listing by an end recipient on the website, and selling the at least one specifically identified shipping platform using the website, the method is inherently tied to a particular apparatus in order to perform the steps recited. Thus, claims 1, 7-9, and 11 are directed to a statutory process.

#### ***Examiner's Amendment***

3. An examiner's amendment to the record appears below. Should the changes be unacceptable to the applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Greg Hill on March 20, 2009. The application has been amended as follows:

#### **In the claims:**

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**Please amend claims 1 and 11 as follows:**

1. A method for retrieving specifically identified shipping platforms, through a coordinator, which have been sent by a plurality of original independent shippers along with [their] the products of the original independent shippers to a plurality of end recipients [through a coordinator] for repurchase and reuse by the original shipper, comprising the steps of:

a) the coordinator issuing a separate identifier for [the specifically identified] shipping platforms of each original independent shipper[, the specifically identified shipping platforms being marked] and the original independent shipper marking the shipping platforms with the separate identifier showing an address for a coordinator managed computer website, wherein, by marking the shipping platforms, the shipping platforms become specifically identified shipping platforms;

b) the coordinator creating a remotely accessible listing on the coordinator managed computer website describing each of the specifically identified shipping platforms on the computer website, in which each of the specifically identified shipping platforms is associated with its original independent shipper;

c) the coordinator accepting a listing from an end recipient of at least one [shipping platform of one of the] of the specifically identified shipping platforms identified in step (a) for sale by the end recipient to the original independent shipper at the computer website;

d) the coordinator notifying the original independent shipper associated in step (b) [with the specifically identified shipping platform] of the listing of the at least one of the specifically identified shipping platform listed by the end recipient in step (c), wherein the original independent shipper, in response to the notification, asks for more information regarding the at

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least one of the shipping platforms listed on the coordinator's computer website site, the coordinator notifying the end recipient for more information, the end recipient supplying the information to the original independent shipper, the coordinator settling upon an agreed upon sales amount for the at least one of the specifically identified shipping platforms;

(e) the coordinator coordinating the sale and shipment of the at least one of the specifically identified shipping platforms from the end recipient to the original independent shipper; and

(f) the end recipient selling the at least one of the specifically identified shipping platforms to the coordinator using the website;

wherein the original independent shipper pays the coordinator the a sales amount for repurchase of the at least one of the specifically identified shipping platforms which were transferred with the sale of the original independent shipper's products to [a distributor or] the end recipient[;], and the coordinator pays the end recipient a percentage of the sales amount.

11. The method of claim 1, wherein the file created in step (b) comprises at least one item selected from a list comprising: the identifier [identification] issued to the specifically identified shipping platform; the original shipper profile; an image of the specifically identified shipping platform; repair specifications for the specifically identified shipping platform designated by the original shipper; shipping platform specifications; and the annual usage of the specifically identified shipping platform.

**Please cancel claims 10 and 12-18.**

***Reasons for Allowance***

4. Claims 1, 7-9, and 11 are allowed.
5. The following is an examiner's statement of reasons for allowance:

None of the prior art of record, taken individually or in any combination, teach, inter alia, a coordinator issuing a separate identifier for shipping platforms of each original independent shipper to make the shipping platforms specifically identified shipping platforms associated with specific original independent shippers and creating a remotely accessible listing describing the specifically identified shipping platforms in association with the original independent shipper, the coordinator then accepting a listing of at least one of the specifically identified shipping platforms from an end recipient that are for sale by the end recipient to the original independent shipper at the computer website, the coordinator then notifying the original independent shipper of the listing by the end recipient, where the original independent shipper pays to repurchase the at least one specifically identified shipping platforms which were transferred to the end recipient with the sale of the original independent shipper's products to the end recipient. Further, there is no predictable result if these references are combined.

The prior art references most closely resembling the Applicant's claimed invention are Sapphire (*"Delivering the Goods: Benefits of Reusable Shipping Containers"*), Meehan et al. (U.S. 2002/0029187), Chep (Screenshots of Chep.com ([www.chep.com](http://www.chep.com)) retrieved from archive.org, dated 6/20/2001, and Article "*Outlook for Third-Party Management*" by LeBlanc, dated 03/01/1999), CPC ([www.cpcpallet.com](http://www.cpcpallet.com)), Berstis (U.S. 2002/0082974), Kawamura et al. (U.S. 2002/0069141), Tradeout.com (Screenshots of Tradeout.com ([www.tradeout.com](http://www.tradeout.com)))



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retrieved from archive.org, dated 08/28/2000, and Article "*Tradeout Sells Assets Online*" from Business Wire, dated 06/21/2000), and SJF Material Handling ([www.sjf.com](http://www.sjf.com)).

Saphire, Chep, and CPC are all third party platform control systems.

Saphire discloses a third party system where three parties are involved in a platform exchange program. The system involves a set of containers or platforms cycling from the IFCO (coordinator) to a grower or packer (shipper) to retailers (end recipient) back through the coordinator to the packer or grower. The shipper (grower or packer) leases the shipping platforms by giving a deposit to the coordinator. After leasing, a group of platforms is associated with the grower or packer and used to send items to the retailer. The coordinator facilitates return and reuse of platforms or containers to by returning money to the retailer in exchange for the shipping platforms or containers. The packer or grower then pays another deposit to the coordinator to get additional platforms or containers. Therefore, money circulates the system in order to support the flow of the platforms or containers. Finally, in the system disclosed by Saphire, the platforms are identified as IFCO platforms (the coordinator).

However, Saphire does not teach that the each platform originates with and is specifically associated with an original independent shipper, where an end recipient who received the platform lists the platform for sale to the original independent shipper at the computer website, where the original independent shipper pays to *repurchase* the at least one specifically identified shipping platforms. In Saphire, the coordinator owns the shipping platforms and is coordinating the leasing, return and reuse of shipping platforms that are associated specifically with the

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coordinator. Thus, the original independent shipper is not repurchasing shipping platforms, but rather leasing and reusing the platforms of the coordinator.

Chep also discloses a third party management system where various supply chain parties associate with a coordinator to rent and retrieve rental pallets or containers, which reduces waste and costs. Products such as pallets or containers are supplied to parties such as manufacturers, distributors, etc. by a coordinator. The system includes e-tools and e-commerce systems that allow for online ordering of pallets or containers real-time logistics and distribution management for tracking the physical movement of containers or pallets (which minimizes the loss of pallets or other equipment). These e-tools and e-commerce systems further allow parties associated with Chep to track their own privately owned equipment using the “Chepcard”. Chep further provides services such as maintenance, inspection, cleaning, repair, and return of platforms or containers to manufacturers, distributors, etc. for use.

While Chep discusses allowing a party associated with the coordinator to track privately owned equipment, Chep has no disclosed details of how this process would work or that the shipper would be repurchasing shipping platforms associated the shipper by the coordinator.

Further, the rest of system of Chep is disclosed as equipment for hire (or a rental system) where the pallets or containers are owned by Chep. Thus, Chep does not teach that the each platform originates with and is specifically associated with an original independent shipper, where an end recipient who received the platform lists the platform for sale to the original independent shipper at the computer website, where the original independent shipper pays to *repurchase* the at least one specifically identified shipping platforms. Again, in Chep, the

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coordinator owns the shipping platforms and is coordinating the leasing, return and reuse of shipping platforms that are associated specifically with the coordinator and thus there is no repurchase of the shipping platforms.

CPC is also a third party management system. CPC also presents and stores information about platform repair standards on a computer website and repairs platforms in accordance with these standards. The standards include at least repair policies, contamination information, nails, and hardware. Again, CPC does not teach that the each platform originates with and is specifically associated with an original independent shipper, where an end recipient who received the platform lists the platform for sale to the original independent shipper at the computer website, where the original independent shipper pays to *repurchase* the at least one specifically identified shipping platforms. Again, in CPC, the coordinator owns the shipping platforms and is coordinating the leasing, return and reuse of shipping platforms that are associated specifically with the coordinator. There is no repurchase of the shipping platforms.

Tradeout teaches a business to business marketplace for the exchange of business surplus and remarketed assets using an auction format. The assets include shipping containers. The system marries qualified buyers and sellers online. Sellers register and post items by category on the website. The seller must pay a listing fee to post the assets on the site. After a buyer purchases the listed assets of the seller, the seller must pay a commission to the site and must further coordinate the delivery of the good to the buyer.

However, Tradout does not teach or suggest that the buyer of the system is repurchasing shipping platforms that were registered by the buyer and originally with the buyer (ie no

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shipping platform that originates with the buyer and was sent to the seller with at least one product). While buyers using the system of Tradeout search for desired assets or products, Tradeout does not teach that the coordinator creates a remotely accessible listing describing the specifically identified item in association with the buyer and that a notification is sent to the buyer when the specifically identified item is listed for sale on the computer site (and for repurchase to the buyer).

Meehan and Berstis disclose online marketplaces for coordinating sale of items.

Meehan teaches a specific electronic interface for exchanging items and money through the sale of the items. The items pass from one user to another through a central coordinator (computer website). Different categories are established at the coordinator website that identify types of items sold. A first user is registered with the system, the first user having a profile that contains a type, category, or description of an item of interest to that user. As items are listed for sale with the coordinator, the first user is notified of an item's offer for sale when the item's type, category, or specific item description matches the information in the first user's profile. The computer website further has a database that stores files associated with the items and system.

However, Meehan does not teach the system is specifically used with shipping platforms or that the item, while identified by a specific description or type by a wanting buyer, did not end up with the seller after originating with the buyer. Specifically, Meehan does not teach or suggest that the buyer of the system is repurchasing shipping platforms or items that were registered by the buyer with the system of the coordinator and originally with the buyer (i.e. the

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buyer in Meehan is not repurchasing, or buying back, an item that originated with the buyer or was previously with the buyer).

Berstis teaches a system that matches buyers and sellers through a coordinator (online auction website). Users register with the system, where the registration includes a unique identifier for an item each user wants to sell or buy. An example of a unique identifier is a universal product code (UPC). The user can also identify quantity, condition, price, and a timeframe for making the sale or purchase. The system then matches users based on the users' registration information. For example, if a unique identifier of an item listed for sale by a first user matches a unique identifier of an item wanted for purchase by a buyer, the system matches these users. Users are charged registration fees, where everyone can be charged a registration fee, only the seller can be charged a fee, or both users can be charged once the users are matched.

However, Berstis does not teach the system is specifically used with shipping platforms or that the item being sold by the seller ended up with the seller after originating with the buyer. Specifically, Berstis does not teach or suggest that the buyer of the system is repurchasing shipping platforms or items that were registered by the buyer with the system of the coordinator and originally with the buyer (i.e. the buyer in Berstis is not repurchasing an item that originated or was previously with the buyer).

SJF is a source for material handling equipment and resource information. The company buys back products and material handling equipment, such as pallet case flow, pallet racks, bines, boxes, and wire baskets. The company pays cash for used equipment and then sells the used items via the website. The website further has want ads and items for sale, the items

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being used and reconditioned material. Again, SJF does not teach that the buyer of the system is repurchasing shipping platforms or items that were registered by the buyer with the system of the coordinator and originally with the buyer (i.e. the buyer in SJF is not repurchasing an item that originated with the buyer or was previously owned by the buyer).

Finally, Kawamura et al. teaches managing distribution of products and returnable containers. A first party sends at least one product in a returnable container to a second party, and then the second party sends back the returnable container to the first party. An inventory balance of the returnable containers is kept. A return notice is sent to the party with the inventory to retrieve the containers. However, the system of Kawamura et al. does not explicitly teach a coordinator or the functions of the coordinator described above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement for Reasons for Allowance".

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Small (Distribution Dispatches) discusses recycling shipping containers and pallets and marking pallets for reuse and for service scheduling.

“PalletOnline revolutionizes Shipping and Logistics” (Canada Newswire) teaches tracking and management of pallet movement using a web based tool.

“Instil’s Auction Solution” (M2 Presswire) teaches an online auction for pallet exchange.

/Beth V. Boswell/

Supervisory Patent Examiner, Art Unit 3623